DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/17/2009 has been entered.

Response to Argument

2. Applicant's arguments, filed 09/17/2009, with respect to claims have been considered but are moot in view of the new ground(s) of rejection. Claims 40 and 41 have been added. Please see explanation below.

Applicant, on page 10 of the remark, argues that Ross is silent on any remote communications capabilities of the PDA or cradle itself. However, the Examiner respectfully disagrees.

Ross discloses in Column 4, lines 56-65 that the cradle 104 includes a housing 302 which includes an infrared (IR) window or IR link for communicating with PDA 102. Furthermore, Ross discloses in Column 5, lines 1-30 "Infrared data link 316 senses the presence of PDA 102 in cradle 104 and/or communicates with PDA 102 for performing various functions within the vehicle".

Applicant, on page 10 of the remark, argues that Ross does not disclose, teach or suggest communicating with the remote communications device to include the telematics functionality

module in a memory of the remote communications device present in the independent claims 1 and 26. However, the Examiner respectfully disagrees.

Ross et al. disclose in Column 9, line 57 to col. 10, line 54 "a conventional CD changer located in the vehicle can be interconnected to **the PDA through the cradle to provide moving map displays on the PDA's screen**. The map displays can be used in conjunction with the GPS described above to enable a powerful mobile information system without the need for an independent navigation-moving map system including a monitor". It should be noted that the PAD and cradle must be established a connection via IR link before the cradle provides the moving map or vehicle information status to the PDA. After connecting, the cradle provides the moving map or vehicle information status to the PDA which is stored in a memory or buffer before displaying.

Applicant, on page 11 of the remark, argues that a telematics related application. Accordingly, Ross fails to disclose, teach or suggest at least the limitation of the telematics functionality module comprises one or more telematics related applications, including at least one of a noise cancellation application, a routing guidance application, and an emergency notification application present in the independent claims 1 and 26, and thus fails to cure the shortcomings Holmes and Guntzer taken either alone or in combination. However, the Examiner respectfully disagrees.

Ross discloses in Column 10, lines 19-54 that the cradle provides moving map, vehicle information status or medical facility to the PDA.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 4-8, 26-27, 29-33 and 40-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Ross et al. (U.S. 5859628).

Regarding claim 1, Ross et al. disclose a method, comprising:

providing a docking apparatus 104 (fig. 1 below, cradle 104) coupled to interface with a vehicle (col. 10, lines 1-6. Ross et al. disclose "the cradle contains an interface to the vehicle's intelligent controller. The vehicle-specific connection taps into the vehicle's main data bus or has a separate connection directly to the main controlling onboard computer. Thus, the cradle could have the capability of receiving information from and sending information to the vehicle's intelligence");

communicatively coupling a remote communications device 102 (fig. 1 below, PDA 102) to the docking apparatus 104 (fig. 1 below, cradle 104) (col. 4 lines 56-65. Ross et al. disclose "housing 302 includes an infrared (IR) window, or IR link, for communicating with PDA 102"),

wherein the remote communications device (PDA 102) does not include a telematics functionality module (for example moving map/status information) (col. 9, line 57 to col. 10, line 54. Ross et al. disclose "a conventional CD changer located in the vehicle can be interconnected to the PDA through the cradle to provide moving map displays on the PDA's screen" or "providing the PDA with vehicle status information". Based upon the passage above, it should

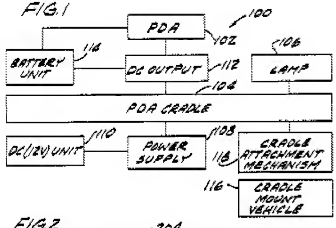
be noted that the PDA does not include a telematics functionality module (moving map/status information) before or during establishing a connection with the cradle 104); and

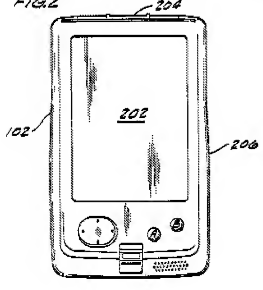
the docking apparatus (fig. 1 below, cradle 104) communicating with the remote communications device 102 (fig. 1 below, PDA 102) to include the telematics functionality module (moving map/status information) in a memory of the remote communications device (PDA 102) (col. 9, line 57 to col. 10, line 54. Ross et al. disclose "a conventional CD changer located in the vehicle can be interconnected to the PDA through the cradle to provide moving map displays on the PDA's screen" or "providing the PDA with vehicle status information". It should be noted that after establishing the connection with the PDA 102, the cradle 104 communicates with the PDA for providing the telematics functionality module (moving map/status information), including:

(i) the docking apparatus (cradle 104) downloading the telematics functionality module (moving map) into the memory of the remote communications device (PDA 102) (col. 9, line 57 to col. 10, line 54. Ross et al. disclose "a conventional CD changer located in the vehicle can be interconnected to **the PDA through the cradle to provide moving map displays on the PDA's screen**" or "vehicle information status". It should be noted that the moving map or vehicle information status should be stored in a memory or buffer of the PDA for displaying), **or** (ii) the docking apparatus supplying the remote communications device with a download location to download the telematics functionality module into the memory from the download location,

wherein the telematics functionality module comprises **one** or more telematics related applications including **at least one of** a noise cancellation application, a routing guidance

application (moving map or vehicle information status) and an emergency notification application (medical facility) (col. 9, line 57 to col. 10, line 54).





Regarding claim 2, Ross et al. disclose all the limitation in claim 1. Further, Ross et al. disclose the one or more telematics related applications further includes at least ***one*** of a vehicle specific application, a personal telematics application, a security application, a hands-free application, an air bag system notification application (col. 8, lines 64-67 and col. 9, line 57 to col. 10, line 54).

Regarding claim 4, Ross et al. disclose all the limitation in claim 1. Further, Ross et al. disclose the method wherein communicatively coupling comprises communicatively coupling using at **least one of** a wireless link and a wireline link (col. 4 lines 19-65).

Regarding claim 5, Ross et al. disclose all the limitation in claim 1. Further, Ross et al. disclose the method further comprising: the remote communications device (PDA 102) detecting the docking apparatus (cradle 104) (col. 6, lines 24-53); and the docking apparatus (cradle 104) and the remote communications device (PDA 102) exchanging capability data (col. 5, lines 1-11 and col. 6, lines 12-53).

Regarding claim 6, Ross et al. disclose all the limitation in claim 5. Further, Ross et al. disclose the method wherein the capability data comprises at **least one of** a software configuration, a hardware configuration, identification data and security data (col. 5, lines 1-11 and col. 6, lines 12-53).

Regarding claim 7, Ross et al. disclose all the limitation in claim 1. Further, Ross et al. disclose the method further comprising: the docking apparatus detecting the remote communications device (col. 5, lines 1-11 and col. 6, lines 12-43); and the docking apparatus and the remote communications device exchanging capability data (fig. 1, col. 2, line 51 to col. 7, line 12).

Regarding claim 8, Ross et al. disclose all the limitation in claim 1. Further, Ross et al. disclose the method wherein the capability data comprises at least one of a software configuration, a hardware configuration, identification data and security data (fig. 1, col. 2, line 51 to col. 7, line 12).

Regarding claim 26, Ross et al. disclose a docking apparatus 104 (fig. 1 below, cradle 104) coupled to interface with a vehicle (col. 10, lines 1-6. Ross et al. disclose "the cradle contains an interface to the vehicle's intelligent controller. The vehicle-specific connection taps into the vehicle's main data bus or has a separate connection directly to the main controlling onboard computer. Thus, the cradle could have the capability of receiving information from and sending information to the vehicle's intelligence"), the docking apparatus 104 comprising:

a processor (col. 5, lines 12-21) and;

a computer-readable medium containing computer instruction for execution by the processor, the computer instructions comprising instructions (i) for communicatively coupling a remote communications device 102 (fig. 1 below, PDA 102) to the docking apparatus 104 (fig. 1 below, cradle 104) (col. 4, lines 56-65),

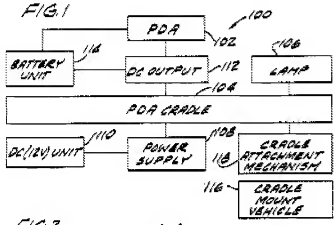
wherein the remote communications device (PDA 102) does not include a telematics functionality module (moving map) (col. 9, line 57 to col. 10, line 54. Ross et al. disclose "a conventional CD changer located in the vehicle can be interconnected to the PDA through the cradle to provide moving map displays on the PDA's screen" or "vehicle information status". Based upon the passage, therefore the PDA does not include the moving map before or during establishing a connection to the docking apparatus); and

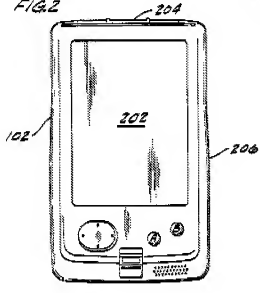
(ii) for the docking apparatus (fig. 1 below, cradle 104) communicating with the remote communications device 102 (fig. 1 below, PDA 102) to include the telematics functionality module (moving map or vehicle information status) in a memory of the remote communications device (PDA 102) (col. 9, line 57 to col. 10, line 54. Ross et al. disclose "a conventional CD changer located in the vehicle can be interconnected to the PDA through the cradle to provide

moving map displays on the PDA's screen" or "vehicle information status". Based upon the passage, the cradle 104 provides the telematics functionality module (moving map or vehicle information status) to the PDA after establishing the connection to the docking apparatus), including:

(i) the docking apparatus (cradle 104) downloading the telematics functionality module (moving map) into the memory of the remote communications device (PDA 102) (col. 9, line 57 to col. 10, line 54. Ross et al. disclose "a conventional CD changer located in the vehicle can be interconnected to **the PDA through the cradle to provide moving map displays on the PDA's screen**" or "vehicle information status". It should be noted that the moving map should be stored in a memory or buffer of the PDA before displaying), **or** (ii) the docking apparatus supplying the remote communications device with a download location to download the telematics functionality module into the memory from the download location,

wherein the telematics functionality module comprises **one** or more telematics related applications including **at least one of** a noise cancellation application, a routing guidance application (moving map) and an emergency notification application (medical facility) (col. 9, line 57 to col. 10, line 54).





Regarding claim 27, Ross et al. disclose all the limitation in claim 26. Further, Ross et al. disclose the docking apparatus wherein the one or more telematics related applications further includes at least ***one*** of a vehicle specific application, a personal telematics application, a security application, a hands-free application, an air bag system notification application (col. 8, lines 64-67 and col. 9, line 57 to col. 10, line 54).

Regarding claim 29, Ross et al. disclose all the limitation in claim 26. Further, Ross et al. disclose the docking apparatus wherein communicatively coupling comprises communicatively coupling using at **least one of** a wireless link and a wireline link (col. 4 lines 19-65).

Regarding claim 30, Ross et al. disclose all the limitation in claim 26. Further, Ross et al. disclose the docking apparatus wherein comprising: the remote communications device (PDA 102) detecting the docking apparatus (cradle 104) (col. 6, lines 24-53); and the docking apparatus (cradle 104) and the remote communications device (PDA 102) exchanging capability data (col. 5, lines 1-11 and col. 6, lines 12-53).

Regarding claim 31, Ross et al. disclose all the limitation in claim 30. Further, Ross et al. disclose the docking apparatus wherein the capability data comprises at **least one of** a software configuration, a hardware configuration, identification data and security data (col. 5, lines 1-11 and col. 6, lines 12-53).

Regarding claim 32, Ross et al. disclose all the limitation in claim 26. Further, Ross et al. disclose the docking apparatus wherein further comprising: the docking apparatus detecting the remote communications device (col. 5, lines 1-11 and col. 6, lines 12-53); and the docking apparatus and the remote communications device exchanging capability data (fig. 1, col. 2, line 51 to col. 7, line 12).

Regarding claim 33, Ross et al. disclose all the limitation in claim 32. Further, Ross et al. disclose the docking apparatus wherein the capability data comprises at least one of a software configuration, a hardware configuration, identification data and security data (fig. 1, col. 2, line 51 to col. 7, line 12).

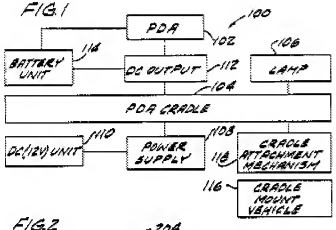
Regarding claim 40, Ross et al. disclose all the limitation in claim 32. Further, Ross et al. disclose the docking apparatus wherein the docking apparatus detects the remote communications device upon the remote communications device moving within a zone of influence of the docking apparatus (col. 5, lines 1 to 44, col. 6, lines 24-43 and col. 7, lines 13-23).

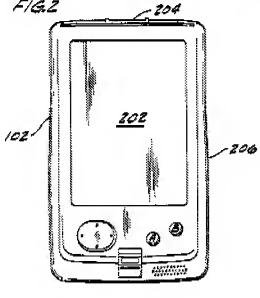
Regarding claim 41, Ross et al. disclose a remote communications device (Fig. 2, PDA 102) comprising:

a processor (col. 6, lines 24 to 30. It should be noted that the PDA 102 include a processor and memory which stores software to perform these steps); and

a computer-readable medium having stored thereon computer instructions that, when executed by the processor, cause the remote communications device (102 PDA, Fig. 2) to communicate with a docking apparatus (104 PDA cradle, Fig 1. and Fig. 3) in a vehicle to initiate downloading of a telematics functionality module (map or vehicle information status) into a memory of the remote communications device (PDA 102) (col. 9, line 57 to col. 10, ines 54. Ross et al. disclose "conventional CD changer located in the vehicle can be interconnected to the PDA through the cradle to provide moving map displays on the PDA's screen" or "receiver PCMCIA card. Another example is providing the PDA with vehicle status information such as current location, available fuel and average speed. The interface on the PDA uses a Road Manager Database to determine the optimum location for refueling, based on time of day, brand loyalty, and number of gas stations at the candidate exit") upon the remote communications

device moving within a zone of influence of the docking (col. 5, lines 1 to 44; col. 6, lines 24-43 and col. 7, lines 13-23).





Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 3 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ross et al. (U.S. 5859628) in view of Poplawsky et al. (Pub. No.: 20020032042).

Regarding claim 3, Ross et al. disclose all the limitation in claim 1. However, Ross et al. do not disclose the method wherein the docking apparatus is a car kit.

In analogous art, Poplawsky et al. disclose the method wherein the docking apparatus (cradle) is a car kit ([0005]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Ross et al. by specifically including the method wherein the docking apparatus (cradle) is a car kit, as taught by Poplawsky et al., the motivation being in order to enable a person to have conversation on a mobile call without having to hold a mobile handset.

Regarding claim 28, Ross et al. disclose all the limitation in claim 26. However, Ross et al. do not disclose the docking apparatus is a car kit.

In analogous art, Poplawsky et al. disclose the docking apparatus (cradle) is a car kit ([0005]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Ross et al. by specifically including the docking apparatus (cradle) is a car kit, as taught by Poplawsky et al., the motivation being in order to enable a person to have conversation on a mobile call without having to hold a mobile handset.

7. Claims 9 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ross et al. (U.S. 5859628) in view of Yoshioka et al. (U.S. 6262655).

Regarding claim 9, Ross et al. disclose all the limitation in claim 1. Further, Ross et al. disclose the method wherein the docking apparatus (cradle 104) downloading the telematic functionality module (moving map or vehicle status) into the memory of the remote communication device (PDA 102) (col. 9, line 57 to col. 10, line 54).

However, Ross et al. do not disclose rewriting at least a portion of a memory of the remote communications device to include the telematics functionality module.

In an analogous art, Yoshioka et al. disclose rewriting into a memory 15 of the remote communications device 1 to include the telematics functionality module (telephone number or vehicle registration number) (col. 8, line 45 to col. 9, line 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Ross et al. by specifically including rewriting into a memory 15 of the remote communications device 1 to include the telematics functionality module, as taught by Yoshioka et al., the motivation being in order to replace information, e.g., telephone number or vehicle registration number into a memory of a terminal device.

Regarding claim 34, Ross et al. disclose all the limitation in claim 26. Further, Ross et al. disclose the docking apparatus wherein the instructions for the docking apparatus (cradle 104) downloading the telematic functionality module (moving map) into the memory of the remote communication device (PDA 102) (col. 9, line 57 to col. 10, line 54).

However, Ross et al. do not disclose instruction for the docking apparatus rewriting at least a portion of a memory of the remote communications device to include the telematics functionality module.

In an analogous art, Yoshioka et al. disclose rewriting into a memory 15 of the remote communications device 1 to include the telematics functionality module (telephone number or vehicle registration number) (col. 8, line 45 to col. 9, line 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Ross et al. by specifically including rewriting into a memory 15 of the remote communications device 1 to include the telematics functionality module, as taught by Yoshioka et al., the motivation being in order to replace information, e.g., telephone number or vehicle registration number into a memory of a terminal device.

8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ross et al. (U.S. 5859628) in view of Kawai (Pub. No.: 20020083000).

Regarding claim 13, Ross et al. disclose all the limitation in claim 1. However, Ross et al. do not disclose wherein erasing the telematics functionality module from the memory of the remote communications device when the remote communication device ceases being communicatively coupled to the docking apparatus.

In analogous art, Kawai discloses erasing the telematics functionality module (electronic guide information) from the memory when the remote communications device ceases being communicatively coupled to the system ([0078] to [0085]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Ross et al. by specifically including erasing the telematics functionality module (electronic guide information) from the memory when the remote communications device ceases being communicatively coupled to the system, as taught by Kawai, the motivation being in order to prevent information leaking to a third party.

9. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ross et al. (U.S. 5859628)in view of Namaky (Pub. No.: 20040227523).

Regarding claim 14, Ross et al. disclose all the limitation in claim 1. Furthermore, Ross et al. disclose the method further comprising: the docking supplying the remote communications device with a Road Manager to download the telematics functionality module into the memory from the Road Manager comprises: the remote communication device downloading the telematics functionality module into the memory from the Road Manager supplied by the docking apparatus.

However, Ross et al. do not disclose a download location.

In an analogous art, Namaky discloses a download location ([0055] to [0059]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Ross et al. by specifically a download location, as taught by Namaky, the motivation being in order to allows a user to connect the cellular phone to a data link connector located in a vehicle, download software to either an adaptor or the cellular phone, retrieve information relating to diagnostic tests on the vehicle and view the results on the cellular phone display, and/or communicate the results to another person or device.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAI A. PHUONG whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Dai A Phuong/
Examiner, Art Unit 2617
Date: 10/22/2009
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